

Record Keeping and Retention Policy



The Approved Provider and Management are responsible for overseeing and ensuring records are maintained and archived in accordance with relevant legislation contained in the National Law and National Regulations, National Quality Standards and Family Assistance Law and the NESAs .

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1	Governance	Governance supports the operation of a quality service.
7.1.1	Service philosophy and purposes	A statement of philosophy guides all aspects of the service's operations.
7.1.2	Management systems	Systems are in place to manage risk and enable the effective management and operation of a quality service.
7.1.3	Roles and responsibilities	Roles and responsibilities are clearly defined and understood and support effective decision making and operation of the service.
7.2	Leadership	Effective leadership builds and promotes a positive organisational culture and professional learning community.
7.2.1	Continuous improvement	There is an effective self-assessment and quality improvement process in place.
7.2.2	Educational leadership	The educational leader is supported and leads the development and implementation of the educational program and assessment and planning cycle.
7.2.3	Development of professionals	Educators, co-ordinations and staff members' performance is regularly evaluated, and individual plans are in place to support learning and development.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
55	Quality improvement plans
74	Documenting of child assessments or evaluations for delivery of educational program
87	Incident, injury, trauma and illness record
92	Medication record
118	Educational leader
126	Centre-based services – general educator qualifications
145	Staff record
146	Nominated Supervisor

PURPOSE

We aim to maintain and manage appropriate records in a private and confidential manner, working in accordance with legislative requirements and best practice standards. Various people in the running of the Farmhouse Montessori School will have access to or will need to have access to information that could be considered private and confidential in the course of the performance of their duties. It is necessary to determine who should have access to this information and ensure that it remains confidential only to the necessary people

AIMS

To ensure the respect and privacy for children, families and staff in dealing with all areas of the running of the school. To ensure only those who are required to know, for the performance of their duties have access to confidential information.

SCOPE

This policy applies to Management, Approved Providers, Nominated supervisor,, Responsible Person and educators at the School.

IMPLEMENTATION

The Approved Provider is responsible for compliance with record keeping requirements in accordance with Education and Care Services National Law and National Regulations. To maintain approval for Child Care Subsidy, providers must also keep certain records in accordance with Family Assistance Law.

This policy encompasses requirements for National Law and National Regulations and Family Assistance Law. Records that are required for Family Assistance Law must be kept for **seven years** and are highlighted in **red**.

The following records are to be retained in a secure location at the School:

- complaints made to the provider, or to any of the services of the provider, relating to compliance with Family Assistance Law (**records must be kept for seven years**)
- children's attendance records (regardless of eligibility for Child Care Subsidy) (Regulation 158) to be kept until the end of 3 years after the child's last attendance [Regulation 183]. These records are also required for Family Assistance Law (**records must be kept for seven years**)
- record of any absences from care for all children (**regardless of eligibility for Child Care Subsidy- records must be kept for seven years**)
- statements or documents demonstrating that addition absence days in excess of the initial 42 absence days satisfy requirements (**records must be kept for seven years**)
- copies of invoices and receipts issued for the payment of childcare fees (**records must be kept for seven years**)
- the identifying number and expiry date of a Working With Children Check (WWCC), current vulnerable people check or criminal history record of all staff to be kept until the end of 3 years after the last date the staff member provided education and care to children.
- any evidence or information produced to obtain police checks and Working With Children Checks for personnel and to support any statements about these checks in an application for provider or service approval. These records are also required for Family Assistance Law (**records must be kept for seven years**)
- copies of all Statements of Entitlement issued, and any statements issued to advise that there was a change of entitlement- Child Care Subsidy (**records must be kept for seven years**)
- written record of any notice given to a state or territory body about a child at risk of abuse or neglect (**records must be kept for seven years**)
- copies of the evidence and information provided with an application for approval about persons with management or control of a provider and persons responsible for the day-to-day operation of the service (**records must be kept for seven years**)
- educational leader records (Regulation 118)
- child assessments or evaluations for delivery of the educational program (Regulation 74) (to be kept for 3 years after the child's last day of attendance [Regulation 183])
- an incident, injury, trauma and illness record (Regulation 87) (to be kept until child is 25 years [Regulation 183])
- medication records (Regulation 92) (Keep until the end of 3 years after the child's last attendance [Regulation 183])
- staff records (Regulation 145)

- record of volunteers and students (Regulation 149)
- records of the Responsible Person at the Service (Regulation 150)
- record of educators working directly with children (Regulation 151)
- record of access to early childhood teachers (Regulation 152)
- any record relating to the death of a child whilst being educated and cared for by the Service or as a result of an incident whilst being educated and cared for, until the end of 7 years after the death of a child
- child enrolment records (Regulation 160) (to be kept until the end of 3 years after the child's last attendance [Regulation 183]).
- record of the Service's compliance with the Law (Regulation 167)
- a record of each nominated supervisor and any person placed in day-to-day charge of the education and care service (Regulation 146)
- evidence of prescribed insurance must be available at the education and care service premises (Regulation 180). Current policy of insurance for public liability with a minimum cover of \$10 000 000 (Reg. 29)

Records to be kept in Relation to the Nominated Supervisor

- The full name, address and date of birth.
- Evidence of any relevant qualifications held by the Nominated Supervisor.
- If applicable, evidence that the Nominated Supervisor is actively working towards that qualification.
- If this is the case, the following must be recorded:
- Proof of enrolment.
- Documentary evidence that the Nominated Supervisor has commenced the course, is making satisfactory progress towards the completion of the course, is meeting the requirements of maintaining the enrolment.
- For Nominated Supervisors who are working towards the completion of a Diploma level education and care qualification, proof that they hold an approved Certificate III level education and care qualification or has completed the units of study in an approved Certificate III level education and care qualification determined by ACECQA.
- Evidence of any approved training (including first aid training) completed by the Nominated Supervisor.
- the identifying number and expiry date of a Working with Children Check (WWCC) and the date this was verified and by whom
- Evidence of the nominators written consent to the nomination.

Records to be kept in Relation to Staff and Educators

- The full name, address and date of birth.
- Evidence of any relevant qualifications.
- If applicable, evidence that the staff member is actively working towards that qualification. If this is the case, the following must be recorded:
- Proof of enrolment.
- Documentary evidence that the staff member has commenced the course, is making satisfactory progress towards the completion of the course, is meeting the requirements of maintaining the enrolment.
- For staff members who are working towards the completion of a Diploma level education and care qualification, proof that they hold an approved Certificate III level education and care qualification or has completed the units of study in an approved Certificate III level education and care qualification determined by ACECQA.
- Evidence of any approved training (including first aid training) completed by the staff member.
- The identifying number and expiry date of a Working with Children Check (WWCC) and the date this was verified,
- If applicable the identifying number and expiry date of their current teacher registration from state Department of Education and Training.

Records to be kept in relation to the Educational Leader:

- The name of the educator who is designated at this role

Records to be kept in relation to Students and Volunteers:

- The full name, address and date of birth of each student or volunteer.

- The Approved Provider must also keep a record for each day on which the student or volunteer participates in the School, the date and hours of participation.

The following records must be kept in relation to the Responsible Person:

- The staff record must include the name of the responsible person at the School for each time that children are being educated and cared for by the School.

The following records must be kept in relation to Educators working directly with children:

- The name of each educator.
- The hours that each educator works directly with children.
- A staff roster or time sheet stating Educators working hours/shift

The following records must be kept in relation to access to early childhood teacher/s:

- The period that an early childhood teacher is working with the School in accordance with the time frames set out in the Staffing Arrangements Policy
- The periods that the early childhood teacher is working directly with children *and not working directly with children*.
- The approved provider of a centre-based School that provides education and care to 25 or more children preschool age or under must ensure that a record is kept of the period that an early childhood teacher is in attendance at the School.

Records Relating to Enrolled Children

- Documentation relating to child assessments or evaluations for delivery of the education program, including:
- Assessments of the child's developmental needs, interest's experiences and participation in the education program.
- Assessments of the child's progress against the outcomes of the educational program.
- Birth Certificate
- Current Immunisation record

Incident, Injury, Trauma and Illness Record

- **Details of any incident** in relation to a child or injury receive by a child or trauma to which a child has been subject while being educated and care for by the School. The following must be included:
 - The name and age of the child.
 - The circumstances leading to the incident, injury or trauma.
 - The time and date the incident occurred, the injury that was received or the child was subjected to the trauma.
- **Details of any illness** which becomes apparent while the child is being educated and care for by the School. The following must be included:
 - The name and age of the child.
 - The relevant circumstances surrounding the child becoming ill and any apparent symptoms.
 - The time and date of the apparent onset of the illness.
 - Date when child was last at the school.
- Details of the action taken by the School in relation to any incident, injury, trauma or illness which a child has suffered while being educated and cared for by the School. The following must be included:
 - Any medication administered or first aid provided.
 - Any medical personnel contacted.
 - Details of any person who witness the incident, injury or trauma
 - The name of any person who the education and care School notified or attempted to notify of any incident, injury trauma or illness a child has suffered at the School and the time and date of the notification and notification attempts.
 - The name and signature of the person making an entry in the record and the time and date that the entry was made.
- This record must be recorded as soon as is practicable, but not later than 24 hours after the incident, injury, trauma or onset of illness occurred.

Medication record

- The name of the child
- The authorisation to administer medication (including self-administration is applicable) signed by a parent or a person named in the child's enrolment record as authorised to consent to administration of medication.
- The name of the medication to be administered.
- The time and date the medication was last administered.
- The time and date or the circumstance under which the medication should be next administered.
- The dosage of the medication to be administered.
- The manner in which the medication is to be administered.
- If the medication is administered to the child:
 - The dosage that was administered.
 - The manner in which the medication was administered.
 - The name and signature of the person who administered the medication.
 - If another individual is required to check the dosage, the name and signature of that person.

Record of attendance for enrolled children

- The full name of each child attending the School.
- The date and time each child arrives and departs.
- The signature of:
 - the person who delivers and collects the child when he or she arrives and departs or
 - The nominated supervisor or educator.

Child enrolment records

- The full name, date of birth and address of the child.
- The name, address and contact details of:
 - Each known parent of the child
 - Any person who is to be notified of any emergency involving the child if any parent of the child cannot be immediately contacted
 - Any person who is an authorised nominee
 - Any person who is authorised to consent to medical treatment of, or to authorise administration of medication to the child.
 - Any person who is authorised to authorise an educator to take the child outside the education and care School premises.
- Details of any court orders, parenting orders or parenting plans provided to the approved provider relating to powers, duties, responsibilities or authorities of any person in relation to the child or access to the child.
- Details of any other court orders provided to the approved provider relating to the child's residence or the child's contact with a parent or other person.
- Gender of the child
- Language used in the child's home
- Cultural background of the child and parents (if applicable)
- Any special considerations for the child (e.g. cultural, religious, dietary requirements or additional needs)
- Authorisations signed by a parent or a person named in the enrolment record as authorised to consent to the medical treatment of the or nominated supervisor to seek:
 - Medical treatment for the child from a registered medical practitioner, hospital or ambulance School.
 - Transportation of the child by any ambulance School.
 - Authorisation to take the child on regular outings.
 - The name, address and telephone number of the child's registered medical practitioner or medical School.
 - The child's Medicare number if available.
- Details of any specific healthcare needs of the child including any medication conditions or allergies including whether the child has been diagnosed as at risk of anaphylaxis, including details of any medical management plan.
- Details of any dietary restrictions for the child
- The immunisation status of the child

- A notation that states that a staff member or approved provider has sighted a child's health record.

A record of the Schools compliance with the law

- Details of any amendments of the School Approval made by the Regulatory Authority including:
 - The reason stated by the Regulatory Authority for the amendment.
 - The date on which the amendment took, or takes, effect
 - The date (if any) that the amendment ceases to have effect.
- Details of any suspension of the School (other than a voluntary suspension) including:
 - The reason stated by the Regulatory Authority for the suspension.
 - The date on which the suspension took, or takes, effect.
 - The date that the suspension ends.
- Details of any compliance direction or compliance notice issued to the approved provider in respect of the School, including:
 - The reason stated by the Regulatory Authority for issuing the direction or notice
 - The steps specified in the direction or notice.
 - The date by which the steps specified must be taken.
- This information must not include any information that identifies any person other than the approved provider.
- A record of certified supervisors placed in day to day charge of the education and care School.

The Approved Provider must ensure that the documents referred to above in relation to a child enrolled at the School are made available to a parent of the child on request. In line with this, if a parent's access to the kind of information referred to in this documentation is limited by an order of a court, the approved provider must refer to the court order in relation to the release of information concerning the child to that parent.

The record of compliance referred to above must be available for access on request by any person.

Storage of Records

Records made by our School will be stored in a safe and secure location under regulation 177 for the relevant time periods as set out above and also in the table below as for the National Regulation 183 and only made accessible to authorised individuals.

If the record relates to the death of a child while being educated and cared for by the Service or as a result of an incident while being educated and cared for by the Service, the records must be kept for 7 years after the death. In the case of any other record relating to a child enrolled at the education and care service, until 3 years after the last date on which the child was educated and cared for by the service. (see Appendix 1- ACEQCA image)

All records required to maintain approval as listed in the [Child Care Providers Handbook](#), must be kept for **seven years**. Written records include records that are made and stored electronically, as long as they are stored safely and any changes, apart from incidental changes related to their storage and display, are also recorded. (p. 79).

Currently the school archives all records at the Nth Head Campus. These are now also stored on the school database electronically. Please see School Database Policy & Procedures.

If a Service is transferred under the law, documents relating to a child must not be transferred without the express consent of the child's parents.

Timeframes for keeping records

If the record relates to an incident, illness, injury or trauma suffered by a child while being educated and cared for by the school, or may have been suffered following an incident that occurred while being educated and cared for at the school, until the child is aged 25

If the record relates to the death of a child while being educated and cared for by the school, or that may have occurred as a result of an incident while being educated and cared for by the school, until seven years after the death

In the case of any other record relating to a child enrolled at the school, until the end of three years after the last date on which the child was educated and cared for by the school

If the record relates to the approved provider, until the end of three years after the last date on which the approved provider operated the school

If the record relates to the nominated supervisor or a staff member, until the end of three years after the last date on which the nominated supervisor or staff member provided education and care on behalf of the school, or

In the case of any other record, until the end of three years after the date on which the record was made.

Confidentiality and Storage of Records

The Approved Provider will ensure that information kept in a record is not divulged or communicated through direct or indirect means to another person other than:

- The extent necessary for the education and care or medical treatment of the child to whom the information relates.
- A parent of the child to whom the information relates, except in the case of information kept in a staff record.
- The Regulatory Authority or an authorised officer.
- As expressly authorised, permitted or required to be given by or under any Act or law.
- With the written consent of the person who provided the information.

North Balgowlah Campus

Information to be displayed (Reg: 173)

Services must have the following displayed:

- in relation to the provider approval:
 - the name of the approved provider
 - the provider approval number
 - any conditions on the provider approval.
- In relation to the service approval:
 - the name of the education and care service
 - the service approval number
 - any conditions on the service approval.
- the name of each nominated supervisor
- in relation to the rating of the service:
 - the current rating levels for each quality area stated in the National Quality Standard, and
 - the overall rating of the service.
- in relation to any service waivers or temporary waivers held by the service, the details of the waivers including:
 - the elements of the NQS and the regulations that have been waived, and
 - the duration of the waiver, and
 - whether the waiver is a service waiver or a temporary waiver.

The Service must also display:

- the hours and days of operation of the education and care service
- the name and telephone number of the person at the education and care service to whom complaints may be addressed
- the name and position of the responsible person in charge of the service at any given time
- the name of the educational leader at the service
- the contact details of the Regulatory Authority
- if applicable, a notice stating that a child who has been diagnosed as at risk of anaphylaxis is enrolled at the service.
- if applicable, a notice stating that there has been an occurrence of an infectious disease at the premises.

North Head Campus

- the hours and days of operation of the school.
- the name and telephone number of the person at the school to whom complaints may be addressed
- the name and position of the Principal in charge of the service at any given time
- the contact details of the Regulatory Authority of the school which is the Board of Studies.
- if applicable, a notice stating that a child who has been diagnosed as at risk of anaphylaxis is enrolled at the service.
- if applicable, a notice stating that there has been an occurrence of an infectious disease at the premises

Day to Day Information

- Staff, relief staff and parents or guardians at the school are expected to respect the privacy of each child, family and staff member and maintain confidentiality with information that may come to them during the course of the day.

Appendix 1



Source

- The Business of Childcare, Karen Kearns 2004
- Education and Care Schools National Regulation 2015
- Privacy Act
- National Quality Standards
- NSW Office of the Children's Guardian
- Australian Legal Information Institute - www.austlii.edu.au
- Department of Community Schools - www.community.nsw.gov.au
- National Childcare Accreditation Council - www.ncac.gov.au
- Department of the Officer of the Privacy Commissioner - www.privacy.gov.au
- Department of Education, Employment and Workplace Relations - www.dest.gov.au
- Department of Families, Community Schools and Indigenous Affairs – Child Care School Handbook 2007-2008
- Australian Taxation Office – www.ato.gov.au
- Early Childhood Australia - www.earlychildhoodaustralia.org.au
- Community Child Care Cooperative

Policy Review Date	Modification	Next Review Date
Oct 2017	Created	2018
2018	New Logo added to policy	2020
2020	Added information to be displayed section	2021
2021	NQS Tables inserted Implementation section updated Records to be kept by approved provider section updated. Storage of records wording updated Information to be display both section inserted and updated.	2024